

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

GLENN HELTON.

Civil No. 2:08-CV-1383-CRD

Plaintiff.

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

ORDER FOR REMAND

Defendant.

The COURT, upon review of the record herein, and noting the stipulation of the parties, does hereby ORDER:

The above-captioned case is reversed and remanded to the Commissioner of Social Security (Commissioner) for further administrative proceedings under sentence four of 42 U.S.C. Section 405(g).

On remand, the Appeals Council will direct an Administrative Law Judge (ALJ) to properly consider, address and give great weight to the Veterans Administration (VA) rating or provide persuasive, specific, valid reasons for the rejection of said opinion. If warranted, the ALJ

1 will be directed to reassess the claimant's residual functional capacity with vocational expert
2 testimony, as needed.

3 Reasonable attorney fees shall be awarded, upon proper application, pursuant to the Equal
4 Access to Justice Act, 28 U.S.C. § 2412

5 DATED this 20th day of January, 2009.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



Carolyn R. Dimmick
United States District Judge

Presentd by:

s/ TERRYE E. SHEA, WSB # 27609
Special Assistant U.S. Attorney
Attorney for Defendant
Office of the General Counsel
701 Fifth Ave, Ste 2900, M/S 901
Phone: 206-615-2143
Fax: 206-615-2531
terrye.shea@ssa.gov